

February 5, 2016

BY ELECTRONIC FILING AND HAND DELIVERY

Hon. Naomi Reice Buchwald
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Rubenstein v. Leone et al., No. 15 Civ. 9794

Dear Judge Buchwald:

I write on behalf of Nominal Defendant RCS Capital Corporation (“RCS Capital”) to notify the Court and all parties that RCS Capital Corporation filed a voluntary petition for Chapter 11 bankruptcy on January 31, 2016, and that therefore the above-referenced action against RCS Capital has now been automatically stayed pursuant to Section 362(a) of the Bankruptcy Code.

Please find enclosed a courtesy copy of the Suggestion of Bankruptcy and Notice of Operation of Automatic Stay filed earlier today by RCS Capital, which attaches a copy of RCS Capital’s bankruptcy petition.

Respectfully submitted,



Jonathan L. Hochman

Enclosure

cc: Counsel of Record (*by ECF*)